

# Comhairle Bhuirg Shligigh



**Sligo Borough Council**

**SLIGO BOROUGH COUNCIL  
SOUND AMPLIFICATION FOR EVENTS  
BYE-LAWS 2014**

**Local Government Act 2001**

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**SLIGO BOROUGH COUNCIL**  
**SOUND AMPLIFICATION FOR EVENTS**  
**BYE-LAWS 2014**

SLIGO BOROUGH COUNCIL (hereinafter referred to as "The Council") in exercise of the powers vested in them by Part 19 Local Government Act 2001 hereby makes the following Bye-Laws in respect of the area comprising the administrative area of SLIGO BOROUGH COUNCIL.

**1. Citation**

These Bye-Laws may be cited as the Sligo Borough Council Sound Amplification for Events Bye-Laws 2014.

**2. Commencement**

These Bye-Laws shall come into operation on the 1<sup>st</sup> day of July 2014.

**3. General Restrictions**

**1. Definition**

As used in this section, the term **Sound Amplification Device** shall mean any apparatus for the amplification of sounds from any radio, phonograph, band, orchestra or any other sound-making or sound-producing device, including any apparatus for the amplification of the human voice.

**2. Noise Prohibitions**

(A) It shall be unlawful for any person during an Event to operate or cause to be operated any horn, player piano, radio, phonograph, amplifier, any device which amplifies sound or other loud-speaking or noise-making device or attachment on the public footpaths, streets and other public places within the administrative area of The Council before the hour of 7:00 a.m. or after the hour of 11:30 p.m. of any day during an Event in a way or manner reasonably calculated or likely to disturb others on or in the vicinity of such public place, but nothing herein shall be construed to affect the usual and reasonable operation of or to prohibit the reasonable use of automobile warning signals or

the reasonable ringing of church bells or the reasonable or ordinary noises attendant upon lawful public or semipublic meetings, parades or celebrations.

(B) It shall be unlawful for any person during an Event to play or operate or permit to be played or operated, within the administrative area of The Council any phonograph, any device which amplifies sound radio or any loud-speaking or noise-making device or attachment on or in any premises under the ownership, management or control of such person, when such premises are being used as a place of business to which the public generally is invited, in such a manner or in such volume as to be reasonably calculated to disturb the peace or to be unreasonably offensive to the public or to the occupants of other premises in such vicinity.

(C) It shall be unlawful for any person during an Event to between the hours of 11:30 p.m. and 7:00 a.m. the following morning, to Create, make or cause to be made upon musical instruments, horns or bugles, or by any other means, any loud noise in a place other than a public place(which shall include specifically a house, apartment, or other dwelling) in the administrative area of the Council, which is reasonably calculated to disturb others in the vicinity of any such public or private place or house.

(D) It shall be unlawful during an Event to use or operate any amplification device at a permanent business location or private residence to produce a sound in excess of 85 dB between 7 a.m. and 11.30 p.m., and 80 dB after 11.30pm as measured at the boundary line of the permanent business location or private residence shall be deemed reasonably calculated to disturb the peace and unreasonably offensive to the public.

#### **4. Sound Amplification Permit**

##### **1. Definitions**

For the purposes of this article, the following words and phrases shall have the meanings ascribed to them.

**Day** means a calendar day.

**Sound Amplification Device or Devices** shall mean any apparatus for the amplification of sounds from any radio, phonograph, band, orchestra or any other sound-making or sound-producing device, including any apparatus for the amplification of the human voice.

**The Council** shall mean Sligo Borough Council

**Director of Service** shall mean the person so appointed by order of the Sligo County Manager.

**Authorised Person** shall mean a person authorised in writing by The Council (Section 204 (1) Local Government Act 2001).

**Event** shall mean Public performance which takes place wholly or mainly in the open air or in a structure with no roof or a partial, temporary or retractable roof, a tent or similar temporary structure and which is comprised of music, dancing, displays of public entertainment or any activity of a like kind.

### **Event Permit Required**

No person shall use or operate, or cause to be used or operated, any Sound Amplification Device during an Event in any location, public or private, within the administrative area of The Council where the sounds therefrom may be heard in any public place or public street without first having obtained a permit from The Council.

### **2. Separate Permit For Each Device Not Required**

A separate permit and fee shall not be required for each Sound Amplification Device.

### **3. Fee**

Applications for permits required under the provisions of this Part shall pay such fees as are prescribed. Such fees are set out in Schedule 1 of these Bye-Laws and may be amended from time to time by The Council by simple Resolution.

#### **4. Term.**

A permit for the amplification of sound shall be required for each day during which a sound amplification is used. Sligo Borough Council may grant Sound Amplification permits for Specified Number of days and Specified Periods of Time during an Event.

#### **5. Application Procedure.**

Each person desiring to use or operate a Sound Amplification Device during an Event shall make an application in writing to the Council or persons appointed by The Council, requesting a permit for such use or operation.

The form of such application shall be prescribed by the Council and shall include:

- the name, address and telephone number of the applicant;
- the address or location upon which the applicant proposes to use or operate a Sound Amplification Device;
- the hours during which the applicant proposes to use or operate such device; and
- a statement by which the applicant accepts and assumes responsibility for ensuring compliance with all terms and conditions of any permit issued to the applicant.

#### **6. Event Permit Issued Subject to Certain Conditions**

The Council shall, upon receipt of such an application and after payment of the required application fee, issue the applicant a Sound Amplification Permit for the Event specified in accordance with the conditions established in these Bye-Laws. All Permits shall be issued inter alia to the following conditions:

(A) No permit shall be issued for the use or operation of a Sound Amplification Device located for within 50 feet of a school, church or hospital; provided, however, this prohibition shall not apply if approval in writing is obtained by the applicant from the affected school, church or hospital, and included with

the application or in the case of a school where the application is outside the school academic year.

(B) A permit for the use of a Sound Amplification Device on a vehicle traveling the public streets or rights-of-way will be granted conditioned upon the use of such device between the hours of 7 a.m. and 11.30 p.m Monday through Sunday.

Notwithstanding any other provision of this article, written permission of a church, school or hospital shall not be required as a condition for the issuance of a permit for the amplification of sound from a moving vehicle.

(D) There will attached to all permits issued any other such conditions as The Council may from time to time prescribe in its absolute discretion as being reasonably required in the public interest and that of the residents of the administrative area of The Council.

#### **7. Copy For The Applicant.**

A copy of any original permit shall be provided to the applicant.

#### **8. Exemptions.**

(A) Nothing in this article shall apply to a person using a device for the amplification of sound at a permanent business location or at a church where such device is used for the amplification of clarions. .

(B) Nothing in this article shall apply to officers and employees of The Council, when such amplification of sound is being used by such officer or employee while engaged in his/her official duty.

#### **9. Right of The Council to Impose Additional Restrictions.**

(A) Nothing herein shall be construed to limit The Council's right to refuse an application for a Permit or impose additional conditions on any permit granted.

(B) No permits will be issued during festivals or events where amplified music or sound impedes the proper recording of the said event(s) or where amplification is inconsistent with the ethos of the festival or event.

## **10. Obstruction**

No person shall resist, obstruct or interfere with any employee or agent of The Council or other person in the exercise of his/her duties or disobey his/her lawful directions.

## **11. Offences**

(A) It shall be lawful for any authorized person or agent of The Council or a member of An Garda Siochana to enforce these Bye-Laws.

(B) It shall be lawful for any authorised person, or agent of The Council or a member of An Garda Siochana in enforcing these Bye-Laws to exclude or remove from the public area or street any person committing any breach of these Bye-Laws and to confiscate any or all Sound Amplification Devices from those person so committing an offence under these Bye-Laws or to take any such other steps as authorized by law.

(C) Any person or person who operates or allows to be operated amplification devices in contravention of these Bye-Laws shall be subject to an On The Spot Fine payable to The Council as set out in Schedule 1 to these Bye-Laws.

(D) Any or all Sound Amplification Devices confiscated under paragraph 4. 11 (B) shall be recorded on a Device Confiscation Sheet contained in Schedule 2; and may be recovered upon payment of the appropriate fine and completion of the Device Recovery Sheet included contained in Schedule 2.

(E) Any or all Sound Amplification Devices confiscated under 4.11 (B) shall be held at a storage facility as maybe determined by The Council from time to time at the sole risk of the person (s) from whom the same have been confiscated.

(F) Any person who obstructs or impedes or refuses to comply with a direction of a member of An Garda Siochana or of an authorised person acting in implementing these Bye-Laws shall be guilty of an Offence.



## **5. Vehicular Mounted Sound Amplified Devices**

### **1. Limitations on the Volume of Sound Emanating from Vehicular Mounted Sound Amplified Devices**

(A) It is unlawful for any person operating or controlling mechanically propelled vehicle in either a public or private place within the administrative area of The Council to operate any sound amplifier which is part of, or connected to, any radio, stereo receiver, compact disc player, cassette tape player, or other similar device in the motor vehicle, in such a manner that, when operated, it is audible at a distance of 50 feet or, when operated, causes a person to be aware of the vibration accompanying the sound at a distance of 50 feet from the source.

(B) The provisions of this section do not apply to:

(1) Authorized emergency vehicles;

(2) Motor vehicles used for business or political purposes, properly permitted, which in the normal course of business use sound making devices; or

(3) Horns or other warning devices

(C) A person violating any of the provisions of this section shall be liable for an On The Spot Fine as set out in Schedule 1.

**Made and adopted under the Common Seal of Sligo Borough Council this 1<sup>st</sup> day of May 2014.**

**Present when the Common Seal of Sligo Borough Council was affixed hereto:**

\_\_\_\_\_  
**Mayor**

\_\_\_\_\_  
**A/Director of Services**

\_\_\_\_\_  
**County Manager**

## **Schedule 1**

### **Applicable Fee and Applicable Fine**

#### **Applicable Fee**

A separate permit for the amplification of sound shall be required for each day during which a Sound Amplification Device is used during an Event and appropriate fee must be included with the application.

The following fees shall be applicable in respect of permits for the use of a Sound Amplification Device during an Event:

#### **Fee per day €20**

Notwithstanding the above, the Director of Service may reduce or waive the appropriate fee subject to the approval of the County Manager.

#### **Applicable Fine**

Any person or person(s) who operates, or allow to be operated, a Sound Amplification Device during an Event in contravention of these Bye-Laws shall be subject to an On The Spot Fine payable to The Council of €100.

Applicable Fees and Fines set out in this Schedule may be amended from time to time by The Council by simple Resolution.

## Schedule 2

### Device Confiscation Sheet and Device Recovery

#### **(A) Device Confiscation Sheet**

**The Following Information shall be recorded where any or all Sound Amplification Devices are confiscated by The Council or An Garda Siochana**

Name(s) of person(s) from who such devices are being confiscated

Address (s) of person(s) from who such devices are being confiscated

Contact phone number (s) of person(s) from who such devices are being confiscated

Location at which such devices are being operated in contravention to Bye-Laws

Description of devices being confiscated

Location at where such devices will be stored for collection on payment of appropriate fine

Signature(s) of person(s) from who such devices are being confiscated

Signature of authorised person or agent of The Council or member of An Garda Siochana confiscating such devices.

#### **(B) Device Recovery Sheet**

**The Following shall be required to recover any or all Sound Amplification Devices that are confiscated by The Council or An Garda Siochana**

Name(s) of person(s) from who such devices were confiscated

Address (s) of person(s) from who such devices were confiscated

Contact phone number (s) of person(s) from who such devices were confiscated

Location at which such devices were operated in contravention to Bye-Laws

Acknowledgment that such devices being recovered are in good condition

Proof of payment of appropriate fine where applicable

Signature(s) of person(s) who recover such devices

Signature of authorised person or agent of The Council or member of An Garda Siochana.